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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|   |                        |                   |
|---|------------------------|-------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/712,060        |
|   | Filing Date            | November 14, 2003 |
|   | First Named Inventor   | FRANK, David      |
|   | Art Unit               | 1746              |
|   | Examiner Name          | N/A               |
| Total Number of Pages in This Submission  | Attorney Docket Number | 9351-217          |

**ENCLOSURES (check all that apply)**

|  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Reply<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below):<br><br>Return Receipt Postcard<br>Copies of Foreign Patent Documents<br>Letter to Commissioner of Patents |
| <b>Remarks</b>   |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                 |             |        |
|--------------|-----------------|-------------|--------|
| Firm         | Bereskin & Parr |             |        |
| Signature    |                 |             |        |
| Printed Name | Tony R. Orsi    |             |        |
| Date         | June 9, 2005    | Reg.<br>No. | 55,831 |

**CERTIFICATE OF TRANSMISSION/MAILING**

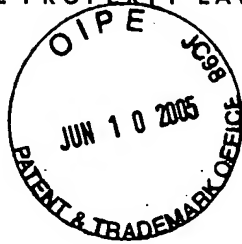
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |  |      |  |
|-----------------------|--|------|--|
| Signature             |  |      |  |
| Typed or printed name |  | Date |  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# Bereskin & Parr

INTELLECTUAL PROPERTY LAW



June 9, 2005

Tony R. Orsi  
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Your Reference: 10/712,060  
Our Reference: 9351-217

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia  
U.S.A. 22313-1450

Dear Sir:

**Re: U.S. Patent Application Serial No. 10/712,060**  
**For: APPARATUS FOR AND METHOD OF FORMING SEALS IN FUEL CELLS**  
**AND FUEL STACKS**  
**Filing Date: November 14, 2003**  
**Applicant: FRANK, David et al.**

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In accordance with 37 CFR 1.97 and 1.98, and in recognition of the duty of disclosure set forth in 37 CFR 1.56, applicant hereby submits a supplemental Information Disclosure Statement including (1) a listing of patents and other publications of which applicant is aware on form PTO-08a; and (2) a copy of each foreign listed item. All of the listed documents are in English.

This supplemental Information Disclosure Statement is filed prior to the issuance of the first Office Action.

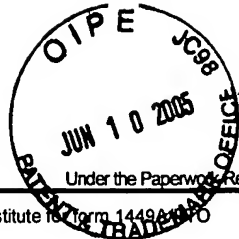
The filing of this statement shall not be construed as an admission that the information cited in the attached statement is, or is considered to be, material to patentability (37 CFR 1.97(h)), nor as an admission that it constitutes prior art.

Respectfully submitted,

Tony R. Orsi, Reg. No. 55,831  
/cec  
Encl.

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Substitute for Form 1449A-PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/712,060        |
| Filing Date            | November 14, 2003 |
| First Named Inventor   | FRANK, David G.   |
| Art Unit               | 1746              |
| Examiner Name          | N/A               |
| Attorney Docket Number | 9351-217          |

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
|------------------------|--------------------------|--|--------------------------------|--|---|
|                        |                          | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
|                        |                          | US- 5,176,966                              | 01-05-1993                     | Epp et al.   |   |
|                        |                          | US- 6,057,054                              | 05-02-2000                     | Barton et al.                                      |   |
|                        |                          | US- 6,086,643                              | 07-11-2000                     | Clark et al.                                       |   |
|                        |                          | US- 6,231,053 B1                           | 05-15-2001                     | Wakamatsu  |   |
|                        |                          | US- 6,338,492 B1                           | 01-15-2002                     | Schilling et al.                                   |   |
|                        |                          | US- 6,371,489 B1                           | 04-16-2002                     | Combet et al.                                      |   |
|                        |                          | US- 6,399,234 B2                           | 06-04-2002                     | Bonk et al.  |   |
|                        |                          | US- 6,436,568 B1                           | 08-20-2002                     | Schilling et al.                                   |   |
|                        |                          | US- 6,495,278 B1                           | 12-17-2002                     | Schmid et al.                                      |   |
|                        |                          | US- 6,596,427 B1                           | 07-22-2003                     | Wozniczka et al.                                   |   |
|                        |                          | US- 6,670,017 B2                           | 12-30-2003                     | Huang et al.                                       |   |
|                        |                          | US- 6,716,550 B1                           | 04-06-2004                     | Kirby  |   |
|                        |                          | US- 6,761,991 B2                           | 07-13-2004                     | Frisch et al.                                      |   |
|                        |                          | US- 2002/0068212 A1                        | 06-06-2002                     | Osenar et al.                                      |   |
|                        |                          | US- 2002/0117780 A1                        | 08-29-2002                     | Inoue et al.                                       |   |
|                        |                          | US- 2004/0258977 A1                        | 12-23-2004                     | Frank et al.                                       |   |
|                        |                          | US-  |                                |  |   |
|                        |                          | US-  |                                |  |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|------------------------|--------------------------|---|-----------------------------------|---|--|----------------|
|                        |                          | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                   |   |  |                |
|                        |                          | EP 0 349 248 A2   | 01-03-1990                        | Southland Industries, Inc.                            |  |                |
|                        |                          | EP 1 156 546 A1   | 11-21-2001                        | Ballard Power Systems Inc.                            |  |                |
|                        |                          | WO02/17422 A2   | 02-28-2002                        | Dana Corporation                                      |  |                |
|                        |                          |   |                                   |   |  |                |

|                       |                    |
|-----------------------|--------------------|
| Examiner<br>Signature | Date<br>Considered |
|-----------------------|--------------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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